

**SECTION 202
LOCAL APPLICATION PACKAGE**

**SUPPORTIVE HOUSING
FOR THE ELDERLY**



**Portland, Oregon HUD Office
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Prepared April 2000

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INTRODUCTION

We appreciate your interest in the Section 202 program. The Section 202 Capital Advance Program funds the construction, substantial rehabilitation, or acquisition of housing for the very low-income elderly persons. Ongoing operation of the housing is assisted by a project rental assistance contract pursuant to the Housing Act of 1959, as amended by Section 801 of the National Affordable Housing Act. This local package complements the application kit which can be obtained by calling HUD 's **SuperNOFA Information Center at 1-800-HUD-8929**. Persons with hearing or speech impairments may call the Center's TTY number at **1-800-HUD-2209**. The application kit is available on the Internet through the HUD web site at **<http://www.hud.gov>**. When requesting an application kit, please refer to the Section 202 Program and provide your name, address (including zip code), and telephone number (including area code).

The 2000 Funding round marks the third year the Oregon State HUD Office will receive applications and recommend fund awards for the states of Alaska, Oregon, Idaho and Washington.

If you would like to be placed on our mailing list for an email multifamily newsletter, please send an email message to: vicki_beasley@hud.gov.

If you wish to submit an application for a Section 202 Fund Reservation in response to the Notice of Funding Availability published in the Federal Register, you must submit at a minimum an original and four copies of your application (preferably an **original and seven copies**) in conformance with this local package and the application kit.

Applications for projects proposed to be located within the jurisdiction of the Seattle, WA, Portland , OR, and the Anchorage, AK Offices must be submitted to the Portland, Oregon HUD Office, HUD, 400 SW Sixth Avenue, Suite 700, Portland, Oregon 97204. Applications must be received no later than **6:00 p.m.**, local time on **May 18, 2000**, in the **Multifamily Housing Program Center**, located on the seventh floor. Copies of the completed application must be hand-carried, mailed, or sent by overnight/express mail by the stated deadline. If mailed, applications must be postmarked on or before 12:00 midnight on the application due date and received by the Oregon State Office on or within ten (10) days of the application due date. If overnight or express mail, the application will be timely filed if it is received before or on the application due date, or when you submit documentary evidence that your application was placed in transit with the overnight delivery service by no later than the application due date. Facsimile (FAX), Internet, COD and postage due applications will not be accepted. Please refer to the SuperNOFA, published 2/24/00, in the Federal Register for more detailed information.

There have been substantial changes in the application and development process in recent years. Failure to meet HUD requirements will result in disapproval of an application. Before preparing your application, you should carefully review this document and the following regulations and HUD issuances.

- ° Section 202 Regulations, Title 24 Code of Federal Regulations, Part 891.
- ° Federal Register - Super Notice of Funding Availability (SuperNOFA) for HUD's Housing, Community Development and Empowerment Programs; Notice. February 24, 2000.
- ° HUD Handbook 4571.3, REV-1, "Section 202 Supportive Housing for the Elderly", particularly Chapters 1 and 2. This will be referred to as the "202 Handbook" hereafter.
- ° HUD Section 202 Application Processing and Selection Instructions Notice. (To be published.)
- ° Application Kit

Please note that if there is a discrepancy between information provided in the application kit and the information provided in the published SuperNOFA, the information in the published SuperNOFA prevails.

If additional information is required, please contact Kathy Budny, (503) 326-5300.

SECTION I. THE SECTION 202 PROGRAM

HUD's Section 202 program is designed to provide financing to assist nonprofit organizations in the development of housing to serve the very low-income elderly. It is combined with an assistance payments program which subsidizes the difference between the tenant rental income and the operating cost of the project.

It is a competitive program. Each year HUD accepts project applications from private nonprofit organizations. Only a portion of the applications received are funded.

To be funded an applicant must show that it is experienced in providing services to the elderly, that there is a need for the project, that the proposed project meets specific design and site standards, and that appropriate services will be provided.

A. ELIGIBLE APPLICANTS

Only private, nonprofit organizations or non-profit consumer cooperatives may apply for the program. The applicant is called a "Sponsor" and submits the application and provides continuing support. The Sponsor must meet the following criteria:

1. Private nonprofit organizations and nonprofit consumer cooperatives are the only eligible applicants under the Section 202 Program. Neither a public body nor an instrumentality of a public body is eligible.
2. A Sponsor or Co-sponsor may not apply for more than 200 units of housing for the elderly in a single Hub or more than 10% of the total units allocated to all HUD Offices.
3. No single application may propose more than the number of units allocated to a HUD office or 125 units, whichever is less. Reservations for projects will not be approved for fewer than 5 units.

B. TENANTS

Tenants of the project must be very low-income households composed of one or more persons, one of whom is 62 years of age or older. "Very low-income" is considered to be 50 percent of the median household income for an area. No restrictions due to race, creed, color, national origin, or sex are allowed.

C. TYPES OF FINANCING

1. CAPITAL ADVANCE

If funded, HUD will provide a Capital Advance to cover the cost of development based on development cost limits published periodically in the Federal Register. Repayment of the advance (with interest) is not required as long as the housing remains available for occupancy by the very low-income elderly for at least 40 years. The capital advance will be the lower of:

- a. HUD's estimate of total development cost; or
- b. The development cost limit reserved for the project (See **Attachments I & II**). Note: These cost limits reflect those costs reasonable and necessary to develop a project of modest design that complies with HUD minimum property standards and the project design and cost standards of 24 CFR 891.120

A capital advance that involves a project to be rehabilitated is subject to additional limitations as addressed in the 202 Handbook.

Owners that incur actual development costs that are less than the amount of the initial fund reservation shall be entitled to retain 50 percent of the savings in a replacement reserve account or up to 75 percent of the savings for Owners who add energy efficient features.

2. PROJECT RENTAL ASSISTANCE

Project rental assistance is also supplied to cover the difference between the HUD-approved operating cost per unit and 30 percent of the resident's adjusted income. The term of the Project Rental Assistance Contract (PRAC) is 5 years and a maximum term which can be supported by funds authorized by the Act. The Department anticipates that at the end of the contract terms, renewals will be approved subject to the availability of funds. In addition, the Department will reserve project rental assistance contract funds based on 75 percent of the current operating cost standards for approved units in order to take into account the average tenant contribution toward rent.

D. DEVELOPMENT METHODS

The following development methods may be used under the program:

- New construction
- Substantial Rehabilitation
- Acquisition of FDIC/RTC (Federal Deposit Insurance Corporation/Resolution Trust Corporation) properties.

E. TYPES OF HOUSING

Projects under the Section 202 program must consist of independent living projects with efficiencies and/or one-bedroom units. Each independent living unit must contain a kitchen and a bathroom. They must also include a percentage of handicapped designed units in accordance with state and local codes and must meet design requirements of the Fair Housing Law.

The following types of housing are unacceptable:

- Nursing homes, infirmaries, medical facilities, mobile home projects, community centers, headquarters for organizations for the elderly, non-housekeeping accommodations, or refinancing of sponsor-owned facilities without rehabilitation.

F. PROPERTY REQUIREMENTS

Sponsors of 202 housing projects must have site control at the time of application submission. The project must be located on real estate held:

1. In fee simple, or
2. Deed or long-term leasehold. Term of lease must be at least 50 years.

G. SUPPORTIVE SERVICES

Supportive services are essential to enable the elderly to enjoy a stable living environment. Sponsors must arrange for the provision and funding of these services appropriate to the assessed needs of the residents. Project rental assistance can also cover a portion of the supportive service expenses and the employment of a service coordinator.

H. HOUSING CONSULTANTS

The use of professional housing consultants to help with the development of the project is highly recommended. The fees of a HUD-approved consultant will be included in the project replacement cost.

SECTION II. THIS YEAR'S FUNDING

This section provides information specific to the jurisdiction of the Portland, Oregon HUD Office and this funding round.

A. ALLOCATION AREA

The Portland, Oregon HUD Office is responsible for three allocation areas: Alaska, Oregon/Idaho and Washington. The Oregon allocation area includes Clark, Klickitat and Skamania counties in the state of Washington and the entire states of Oregon and Idaho.

The allocation is divided into units designated for Metropolitan and Non metropolitan areas. The Metro/Non-Metro areas in the Oregon allocation are as follows:

<u>State</u>	<u>County</u>
<u>METRO</u>	
Oregon	Multnomah, Clackamas, Columbia, Washington, Marion, Polk, Lane, Jackson, Yamhill, Benton
Idaho	Ada, Canyon, Bannock
Washington	Clark
<u>NON-METRO</u>	
Oregon	All counties not listed above
Idaho	All counties not listed above
Washington	Klickitat, Skamania

The Washington allocation area includes all of the counties in Washington, except Clark, Klickitat and Skamania. The Metro/Non-Metro areas in the Washington Allocation are:

METRO

Washington Benton, Franklin, King, Kitsap, Pierce, Snohomish, Spokane,
Thurston, Whatcom, Island, and Yakima

NON-METRO

All other counties

The Alaska allocation includes all areas in the state of Alaska.

METRO

Alaska Anchorage Borough

NON-METRO

All other counties

B. NUMBER AND TYPES OF UNITS

The total number of units to be funded within the allocation areas are estimated to be:

OREGON

Area	Number of Units	Dollar Amount
Metro	61	\$4,552,133
Non-Metro	22	\$1,556,784

WASHINGTON

Area	Number of Units	Dollar Amount
Metro	78	\$6,386,021
Non-Metro	16	\$1,322,249

ALASKA

Area	Number of Units	Dollar Amount
Metro	20	\$2,921,688
Non-Metro	5	\$ 730,422

The actual number of units funded will be subject to the availability of Section 202 Capital Advance and Project Rental Assistance funds.

The size of the units is restricted to efficiency and one bedroom units, however there is no requirement for efficiency units. A two bedroom unit can be approved for the resident manager.

Any non-revenue producing unit proposed for a project must be included within the total units of an application. For example, if a project is selected for 27 units, it is expected that if a non-revenue unit (i.e., resident manager's unit) is anticipated, the configuration would be 26 revenue units and 1 non-revenue unit. Additions of non-revenue units at a later stage of processing will not be accepted.

An application for a project will be rejected if it exceeds the maximum number of units available for the type of area or is for less than 5 units.

SECTION III. PROJECT REQUIREMENTS

A. FINANCIAL OBLIGATIONS

Selected applicants receive a Capital Advance that covers most of the cost of the project, however the Owner does have some financial obligations. The Sponsor must have the money or have access to money that the Owner can use to meet those obligations.

Selected nonprofit organizations must provide a minimum capital investment of one-half of one percent of the HUD-approved capital advance amount, not to exceed \$10,000, with the following exception. If you, as Sponsor or Co-sponsor, have one or more Section 202 or one or more Section 811 project(s) under reservation, construction, or management in two or more different HUD geographical regions (Hubs), the minimum capital investment shall be one half of one percent of the HUD-approved capital advance amount, not to exceed \$25,000. This amount will be returned to the Owner if the project reaches final closing within a reasonable period after construction is completed. Funds for this minimum capital investment may not be borrowed, nor may letters of credit be used.

Additional funds may be required as follows:

1. Front-end money for any expenses prior to the initial closing of the project. This will include such items as architect fees, survey fees, appraisal, etc. Most of these items will be reimbursed after initial closing.
2. Incremental development and operational cost of project costs not eligible to be included in the capital advances or the project rental assistance contract.
3. Off-site escrow for off-site drives, walkways, etc., which may be necessary, but which may not be included in the capital advance.
4. Demolition of structures on the site.
5. Unforeseen expenses incurred during construction or operation of the project.
6. Supportive services.

B. RELOCATION

All HUD-assisted programs are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The requirements deal with the acquisition of the land and the relocation of any displaced persons.

In acquiring the land, there are specific items which must be disclosed in writing prior to entering a contract to purchase. The sellers of the land must receive notice that the land buyer does not have, or will not use, the power of eminent domain to acquire the property; inform the owner of what they believe to be the fair market value of the property, and inform them that they will not acquire the property if an amicable agreement cannot be reached. If the buyer does have the power of eminent domain, the land can be acquired in this voluntary way, if the buyer is not seeking a specific property to acquire, if the property is not part of an intended, planned, or designated project area where all or substantially all of the property within the area is to be acquired within specific time limits, and if the agency will not acquire the property if negotiations fail to result in an amicable agreement.

If the land is to be acquired with the power of eminent domain, the involuntary acquisition procedures described in 49 CFR 24.102 must be followed.

When the acquired property is occupied or leased by any person or business, relocation requirements are a consideration. The only exception would be a property listed for sale, occupied by owners, if they receive the required notice. Relocation requirements are very technical and complicated. Accordingly, if the site of a proposed project is occupied, the applicant should contact the Oregon State HUD Office Relocation Specialist before the application is submitted.

Relocation can be very expensive, particularly if it is not planned and conducted in an efficient, timely manner.

C. MANAGEMENT AND MAINTENANCE SERVICES

The Owner corporation is required to provide all the management and maintenance services typically provided in the area for the type of housing contemplated.

D. SUPPORTIVE SERVICE PLANS

In addition to housing, appropriate supportive services must be provided for Section 202 housing tenants, especially for the frail elderly.

SECTION IV. SUBMISSION REQUIREMENTS FOR A SECTION 202 FUND RESERVATION

The application for Section 202 fund reservation consists of seven exhibits. (See Application Kit.) These exhibits are discussed in the application kit package available from HUD's SuperNOFA Information Center at 1-800-HUD-8929. The application must also have a table of contents, and be tabbed and indexed accordingly.

NOTE: The Oregon State HUD Office has an additional application requirement in addition to those listed in the application kit. See below:

Exhibit 4(d)(v) On the map showing the location of the site and the racial composition of the neighborhood, with the area of racial concentration delineated, please show the amenities in the neighborhood. This would include grocery stores, banks, parks, beauty salons, and so on.

Exhibit 7(f) Alaska, Oregon, Idaho and Washington do not have a State Single Point of Contact. Therefore applicants do not need to submit their proposals to the state. In this exhibit, box 2 of the certification should be checked.

A. Consolidated Plan. Each applicant is to submit a Certification of Consistency with the Consolidated Plan (PLAN) Form HUD-2991, for the jurisdiction in which the proposed project will be located. The certification must be made by the unit of general local government if it is required to have, or has, a complete Plan. Otherwise, the certification may be made by the State, or by the unit of general local government if the project will be located within the jurisdiction of the unit of general local government authorized to use an abbreviated strategy, and if it is willing to prepare a Plan. All certifications must be made by the public official responsible for submitting the Plan to HUD. The certifications must be submitted as part of the application submission deadline date. See **Attachment II** for list of officials.

B. State Historic Preservation Officer (SHPO). The applicant is required to submit a letter from the SHPO indicating whether the proposed site(s) has any historical significance. If the sponsor cannot obtain a letter from the SHPO due to the SHPO not responding to the Sponsor's request or the SHPO responding that it cannot or will not comply with the requirement, the Sponsor must submit the following:

- (1) a letter indicating that it attempted to get the required letter from the SHPO but that the SHPO either had not responded to the Sponsor's request or would not honor or recognize the Sponsor's request;
- (2) a copy of the Sponsor's letter to the SHPO requesting the required letter; and
- (3) a copy of the SHPO's response, if available.

C. HOW TO HAVE A WINNING APPLICATION

1. Be quantitative in your exhibits. Include how many, how much, for how long, and so on. For example, say how many years the Sponsor has provided housing, how many units and for how many people. Be concise and to the point.
2. If the Sponsor lacks extensive experience providing services to the elderly, consider finding a co-sponsor who does have experience.
3. Have a good site. This includes having a good location, no unusual site improvements existing or needed (for example, fill), and no possible environmental problems.
4. Don't assume that the reviewers of your application will know about local conditions, organizations, or local concerns. The reviewers will be housing specialists, without extensive experience with the elderly. Explain everything.
5. For clarity and ease of reference, state the exhibit requirement(s) and/or statement first, then provide the response.
6. Review Section 202 Application Processing and Selection Instructions Notice. (To be published.)
7. **READ ALL THE INFORMATION PROVIDED** (i.e., NOFA, APPLICATION KIT, ETC.).

ATTACHMENT I

**SCHEDULE OF DEVELOPMENT COST LIMITS
STATES OF ALASKA, IDAHO, OREGON, AND WASHINGTON
Section 202 Supportive Housing for the Elderly
2000**

Note: see following attachment to determine which counties are in each area.

WASHINGTON

<u>Area</u>	<u>Bedrooms</u>	<u>Elevator</u>	<u>Non-Elevator</u>
WA Area 1	0	\$ 71,154	\$67,612
	1	81,564	77,958
	2	99,181	94,018
WA Area 2	0	66,906	63,576
	1	76,694	73,304
	2	93,260	88,405
WA Area 3	0	66,906	63,576
	1	76,694	73,304
	2	93,260	88,405
WA Area 4	0	71,154	67,612
	1	81,564	77,958
	2	99,181	94,018
WA Area 5	0	66,198	62,903
	1	75,883	72,528
	2	92,273	87,469
WA Area 6	0	71,154	67,612
	1	81,564	77,958
	2	99,181	94,018
WA Area 7	0	58,056	55,166
	1	66,550	63,607
	2	80,924	76,711

<u>Area</u>	<u>Bedrooms</u>	<u>Elevator</u>	<u>Non-Elevator</u>
WA Area 8	0	57,702	54,830
	1	66,144	63,220
	2	80,431	76,243
WA Area 9	0	59,118	56,175
	1	67,767	64,771
	2	82,404	78,114
WA Area 10	0	59,826	56,848
	1	68,579	65,547
	2	83,391	79,050
WA Area 11	0	59,118	56,175
	1	67,767	64,771
	2	82,404	78,114

OREGON/IDAHO

Portland	0	66,198	62,903
	1	75,883	72,528
	2	92,273	87,469
Bend	0	65,490	62,230
	1	75,071	71,752
	2	91,286	86,534
Coos Bay	0	64,074	60,885
	1	73,448	70,201
	2	89,313	84,663
Eugene	0	63,720	60,548
	1	73,042	69,813
	2	88,819	84,195

<u>Area</u>	<u>Bedrooms</u>	<u>Elevator</u>	<u>Non-Elevator</u>
Boise	0	55,932	53,148
	1	64,115	61,280
	2	77,964	73,905

<u>Area</u>	<u>Bedrooms</u>	<u>Elevator</u>	<u>Non-Elevator</u>
Coeur d'Alene	0	54,162	51,466
	1	62,086	59,341
	2	75,496	71,566
Idaho Falls	0	53,100	50,457
	1	60,869	58,178
	2	74,016	70,163
Pocatello	0	52,746	50,121
	1	60,463	57,790
	2	73,523	69,695

ALASKA
(All municipalities)

0	127,440	121,097
1	146,084	139,626
2	177,638	168,390

COST AREAS

WASHINGTON

Area 1	King, Kitsap, Pierce and Snohomish counties.
Area 2	Clallam and Jefferson counties.
Area 3	Skagit, Island, Whatcom and San Juan counties.
Area 4	Mason, Lewis and Thurston counties.
Area 5	Cowlitz and Wahkiakum counties.
Area 6	Greys Harbor and Pacific counties.

Area 7	Spokane, Pend Oreille, Stevens, Ferry, Lincoln.
Area 8	Chelan, Douglas, and Okanogan counties.
Area 9	Yakima and Kittias counties.
Area 10	Benton, Franklin, Grant and Adams counties.
Area 11	Whitman, Walla Walla, Columbia, Asotin and Garfield counties.

OREGON/IDAHO

Portland	Clark and Skamania Counties in the state of Washington. Clackamas, Columbia, Multnomah, Washington and Yamhill counties.
Bend	Klickitat County in the state of Washington, Oregon counties east of the Cascade Mountains.
Coos Bay	Clatsop, Coos, Curry, Lincoln and Tillamook counties, and those portions of Douglas and Lane counties west of the Coast Range Mountains.
Eugene	Benton, Jackson, Josephine, Linn, Marion, and Polk counties and those portions of Douglas and Lane counties east of the Coast Range Mountains.
Boise	Ada, Boise, Canyon, Elmore, Gem, Owyhee, Payette Washington Counties.
Coeur d'Alene	Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone counties.
Idaho Falls	Adams, Bingham, Bonneville, Butte, Clark, Custer, Fremont, Jefferson, Lemhi, Madison, Teton and Valley counties.
Pocatello	Bannock, Bear Lake, Blaine, Camas, Caribou, Cassia, Franklin, Gooding Jerome, Lincoln, Minidoka, Oneida, Power and Twin Falls counties.

ALASKA -

all municipalities

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